

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35799

STATE OF IDAHO,)	2009 Unpublished Opinion No. 443
)	
Plaintiff-Respondent,)	Filed: April 30, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
CLIFFORD ANDERSON GUNTHER,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Cheri C. Copsey, District Judge.

Judgment of conviction and unified sentence of life, with a minimum period of confinement of twenty-five years, for two counts of sexual battery of a minor child sixteen or seventeen years of age, by lewd conduct, affirmed.

Greg S. Silvey, Kuna, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; PERRY, Judge;
and GRATTON, Judge

PER CURIAM

Clifford Anderson Gunther pled guilty to two counts of sexual battery of a minor child sixteen or seventeen years of age, by lewd conduct. Idaho Code § 18-1508A(1)(a). The district court sentenced Gunther to a unified term of life, with a minimum period of confinement of twenty-five years. Gunther appeals, claiming that the district court abused its discretion by imposing an excessive sentence.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Gunther's judgment of conviction and sentence are affirmed.